IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 13496 of 1995

Between:

G.Suryanarayana reddy s/o satyanarayana reddy
New mirjalguda, Malkajigiri,
R.R.Dist

..... PETITIONER

AND

1 Vice chairman, HUDA
Begumpet,Hyderabad.
2 Municipal Commissioner, Malkajigiri Municipality
R .R. Dist .,
3 V Ayyanna s/o vasanna
R/o 19-1-23, Gouthaminagar,
Malkajigiri

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of certiorari calling for the records pertaining proceeding no. 11354/mp2/huda/9 dt. 14-12-1994 on the file of the Ist respondent herein and quash the same as illegal arbitrary and without jurisdiction and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances.

Counsel for the Petitioner: MR.V.AJAY KUMAR

Counsel for the Respondent No.1 & 2: None appeared

Counsel for the Respondent No.3 : Mr. P.Vittal Rao

The Court made the following :

O R D E R:

Heard.

2. The grievance of the petitioner is with regard to regularization of the illegal construction of the 3rd respondent through proceedings No.11354/MP2/HUDA/9 dated 14.12.1994 of the 1st respondent.

3. From the perusal of the writ affidavit and from the record and also from the submissions of the counsel for the petitioner, it appears that the 3rd respondent made certain constructions contrary to rules and subsequently when show cause notice was issued for demolition, he filed writ petition before this court and the same was disposed of with a direction to the official respondents to consider the representation of the 3rd respondent instead of going for demolition. Accordingly, it appears that as per the policy of the Government and as per G.O.Ms.No.1235 of Municipal Administration dated 14.8.1992 the alleged illegal construction of the 3rd respondent was regularized.

4. Further the impugned proceedings were of the year 1994 and the present writ petition was filed in the year 1995. Hence, at this length of time, I do not find any reason to interfere with the proceedings of the 1st respondent dated 14.12.1994. Accordingly the writ petition is dismissed. No costs.

AVS/vs

05.08.2004

To

1 Vice chairman, HUDA
Begumpet
2 Municipal Commissioner Malkajigiri Municipality
R .R. Dist .,

3. Two CD copies.

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO. 13496 OF 1995

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Dated: 05-08-2004